

REMARKS

Applicants certainly appreciate the allowance of claims 10-14 and 16. Applicants also appreciate the indication of allowance of claims 3-5, 7 and 9, if amended to become independent, incorporating the requirements of the base claim and any intervening claims. Of these, applicants have amended claims 4, 7 and 20 to become independent as suggested. Please charge the fee for the three additional independent claims to Baker Hughes, Inc. Deposit Account 02-0429.

Applicants affirm the election of species 1 and confirm that all claims except claims 8 and 15 read on species 1. Applicants believe claim 15 should be removed from withdrawal status because it depends from claim 10, which has been allowed. Applicants also submit that claim 1, as amended, is allowable, thus withdrawn claim 8 should be reinstated.

Claim 1 as amended requires that the pump assembly have a discharge on its upper end for pumping well fluid to the surface. Mendez '182 does not disclose a well fluid pump having a discharge on its upper end for pumping well fluid to the surface. Referring to Figure 1C, pump 30 receives well fluid flowing through inlet 20 and screen 36c into annular passage 25. Pump 30 discharges the well fluid into a central passage of mandrel 24. The well fluid flows down passage 24 to inflatable packer 2 (Figure 1D). The fluid inflates packer 2, but does not flow upward to the surface. Chamber 50, shown in Figure 1A, is filled with a clean lubricating fluid, such as kerosene and does not provide any means for well fluid to flow upward. Plug 52 defines the upper end of chamber 50.

Claim 1 also requires a bypass passage through the packer for the passage of well fluid to the intake of the pump assembly. There is no bypass passage in inflatable packer 2 (Figure 1D).

Rather, the well fluid flowing into inlet 20c and screen 36c (Figure 1C) must come from the annulus surrounding assembly 10. Applicants submit that claim 1 and dependent claim 6 are allowable over Mendez.

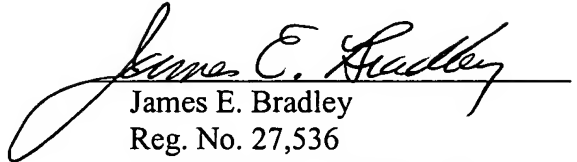
Brecheisen discloses an impeller pump 38 (Figure 5) located below packer 2. A portion of the well fluid being pumped by pump 38 passes through ports in column pipe 4 to inflate elastic tube 18. Claim 1 as amended requires that the packer be below an intake of the pump assembly, thus distinguishes over Brecheisen. Applicants submit that it would not be obvious to one of average skill in the art to place the intake above the packer in view of Brecheisen, for to do so would destroy the teachings of Brecheisen. Brecheisen wishes to isolate the well fluid above packer 2 from the intake to prevent the water level within the well from being drawn down. (paragraph 38). Paragraph 23 states that the absence of a packer or seal between the column 5 and the casing above the intake would allow water flow within the column to exceed the flow of water into the foot of the well. Therefore, placing the intake above the packer, as required by claim 1, would destroy the teachings of the Brecheisen patent application.

Claim 17 as amended requires providing a communication path through the packer to an intake of the pump assembly above the packer. For the same reasons as discussed above, Brecheisen teaches the opposite, which is to place the intake of the pump assembly below the packer. Applicants submit that claims 1, 6 and 17 should be allowed.

It is respectfully submitted that the claims are now in condition for allowance and favorable action is respectfully requested.

Respectfully submitted,

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